



Petition # _____

**TOWN OF NEWINGTON
TOWN PLAN AND ZONING COMMISSION**

APPLICATION FORM

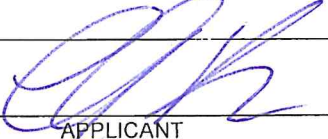

LOCATION: 2355 Berlin Turnpike ZONE: B-BT
APPLICANT: The McDonalds Real Estate Company TELEPHONE: 203-528-0590
 c/o Chris Russo, 10 Sasco Hill Rd,
ADDRESS: Fairfield, CT 06824 EMAIL: Chris@russorizio.com
CONTACT PERSON: c/o Chris Russo, Russo & Rizio, LLC TELEPHONE: 203-528-0590
ADDRESS: 10 Sasco Hill Road, Fairfield, CT 06824 EMAIL: Chris@russorizio.com
OWNER OF RECORD: The McDonalds Real Estate Company

THIS APPLICATION IS FOR (CHECK ONE OF THE FOLLOWING):

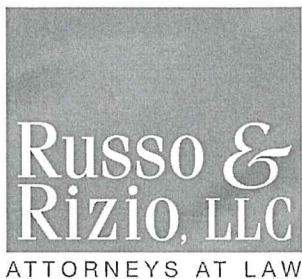
- ☐ Zoning Map Change from the _____ Zone to the _____ Zone (Public Hearing required).
- ☐ Zoning Text Amendment to Section 6.2.1.E & 9.2. *A copy of the proposed amendment and the reason for amendment is attached* (Public Hearing required).
- ☐ Subdivision (4 sets of plans 24" x 36", and 10 sets of plans 12" x 18").
- ☐ Resubdivision (Public Hearing required). (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- ☐ Special Permit per Section _____ of the Zoning Regulations. *Explanation of the proposed activity is attached* (Public Hearing required).
- ☐ Site Plan Approval or Site Plan Modification (4 sets of plans 24" x 36", and 10 sets of plans 11" x 17").
- ☐ Other (describe in detail, or attach): _____.

SIGNATURE:

"I hereby consent to site inspections before, during and after construction to verify proper functioning of the erosion and sediment controls and of the stormwater management design."

	<u>6/1/20</u>		<u>6/1/20</u>
APPLICANT	DATE	PROPERTY OWNER	DATE

**COMPLETE APPLICATIONS SUBMITTED NOT LESS THAN 14 DAYS BEFORE THE NEXT TPZ MEETING
MAY BE PUT ON THE AGENDA. A COMPLETE APPLICATION CONSISTS OF: THE APPLICATION FEE;
SITE PLANS (IF APPROPRIATE); STORMWATER MANAGEMENT ANALYSIS (FOR SITE PLANS);
NARRATIVE EXPLANATION (FOR SPECIAL PERMITS).**



Colin B. Connor
Elizabeth A. Falkoff*
Robert G. Golger
Michael C. Jankovsky
David K. Kurata
Katherine M. Macol
Leah M. Parisi
William M. Petroccio*
Raymond Rizio*
Christopher B. Russo
Robert D. Russo
John J. Ryan
Vanessa R. Wambolt
(*Also Admitted in NY)

June 1, 2020

Andrew Armstrong
Assistant Planner
131 Cedar Street
Newington, CT 06111

Re: Proposed Amendment to the Newington Zoning Regulations regarding Digital Menu Board Signs

AMENDMENT TO SECTION 9.2
REGARDING DEFINITIONS "SIGN, DIGITAL MENU BOARD"

(Proposed amendment bold and underlined)

9.2 Definitions

SIGN, DIGITAL MENU BOARD: A sign which is located at and utilized in connection with an accessory drive through lane, which has intermittent illumination by mechanical or digital control that will rotate images to display products or items connected to the principal use on the premises.

AMENDMENT TO SECTION 6.2.1.E
REGARDING GENERAL SIGN PROVISIONS

6.2.1 General

E. As defined in Section 9, a sign which has intermittent internal illumination, mechanical or digital controls that produce an illusion of movements such as, but not limited to, flashing, running, rotating, video graphics, change in color and brightness or scrolling advertisement message shall not be permitted except:
(Effective 6-8-2011)

1) Time and/or temperature sign by means of intermittent lighting, provided that the largest dimension of such a sign does not exceed 6 square feet. (Effective 6-8-2011)

2) Fuel product price sign that is digitally controlled and a component of the business's free standing sign provided that each product per gallon price size does

not exceed 1 foot high by 3 feet wide and does not move, flash, run, scroll, rotate or change color or brightness. Digitally controlled product price sign shall not be permitted in the Business Town Center District (B-TC) and the Business District (B) zones. (Effective 6-8-2011)

3) Digital menu board signs which are located at and utilized in connection with an accessory drive through lane. One digital menu board sign shall be permitted per each accessory drive through lane limited to Fifty (50) square feet as well as one digital pre-browse menu board sign per permitted principal use on the premises limited to Fifteen (15) square feet.

Narrative

The Applicant proposes a text amendment to permit digital menu board signs in connection with an accessory drive-through lane. The amendment would permit said signs with illumination by mechanical or digital control that will rotate images to display products or items connected to the principal use on the premises. The proposed text amendment will allow one digital menu board sign per accessory drive-through lane limited to Fifty (50) square feet and one digital pre-browse menu board sign limited to Fifteen (15) square feet. It is important to note, all these proposed structures are intended to improve the efficiency of the existing drive-thru. While the menu boards do advertise food products for sale, its intent is to display popular customer choices and menu items relevant to the specific time of day, so customers can order quickly. Therefore, the sign is actually oriented towards the functionality rather than the advertising of the use and will actually reduce the impact from existing conditions.

Since the Applicant has operated restaurants, the accessory drive-through lane has increasingly represented where patrons place their order. Approximately Seventy percent (70%) of their restaurant's business comes through the drive-through lane. With the rising popularity of UberEats, the drive-thru demand has only increased. The Applicant is the leading operator of drive-through restaurants and has exhaustively studied how to make their drive-thru facilities operate quickly and efficiently. The result has been the addition of digital menu boards, including both the main and pre-browse menu boards.

The proposed text amendment actually reduces the intensity of the fast-food restaurant use. Under current circumstances, these restaurants have to display their menu items for all times of day. The proposed signs will allow restaurants to just display what menu items are currently offered. This increases the speed and efficiency to order. The

digital aspect of the sign also allows for automatic adjustment of the lighting to ensure the signs dim in the later, darker hours of the day, to ensure there is no light pollution to neighboring properties. Finally, the Applicant has extensively studied drive-through operations and have determined the placement of a pre-browse menu board has an overall impact on the speed and efficiency of a drive-through lane. For some patrons, it will allow them to determine their order before they reach the menu board speaker, so they move more quickly. The Applicant attempts to improve the speed of their drive-through operation to the second and they have found the above-stated improvements increase the efficiency, which in turn reduces the intensity of the use, particularly on traffic.

The Application will be beneficial, not injurious, to the surrounding neighborhood as the proposed modifications will significantly improve the efficiency, functionality, and traffic flow of the drive-through facilities to meet the demand of its patrons, which overwhelmingly utilize their vehicles to order food. It will help ensure traffic does not back up, which can become a significant concern during rush hour. In all, the proposed improvements result in a meaningful upgrade to the efficiency and functionality of the drive-through facility with minimal alteration to existing Site conditions.

Sincerely,



Christopher Russo